

**COPY**

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6 Attorneys for Defendant Fair Collections  
 & Outsourcing, Inc.

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **CENTRAL DISTRICT OF CALIFORNIA**

**CV12-04659 PA(SH)**

10  
 11 **PAUL GRANDE; AND, ZUZANNA**  
 12 **GRANDE,**

13 Plaintiffs,

14 v.

15 **FAIR COLLECTIONS &**  
 16 **OUTSOURCING, INC.; AND, DOES**  
 17 **1-20, INCLUSIVE,**

18 Defendants.  
 19

CASE NO.

**NOTICE OF REMOVAL**

Trial Date: None Set

20 **TO THE CLERK OF THE ABOVE-ENTITLED COURT:**

21 **PLEASE TAKE NOTICE** that Defendant **FAIR COLLECTIONS &**  
 22 **OUTSOURCING, INC. ("FCO")** hereby removes to this Court the state court action  
 23 described below:

24 1. On April 23, 2012, an action was commenced in the Superior Court of  
 25 California, County of Los Angeles, entitled *Paul Grande, et al. v. Fair Collections*  
 26 *& Outsourcing, Inc.*, County of Los Angeles small claims Case No. 12C01529 (the  
 27 "Action"). A true and correct copy of Plaintiffs' Complaint in the Action is attached  
 28 hereto as Exhibit "A."

1           2.     The Action was filed on April 23, 2012 and FCO was served with said  
2 Complaint on April 5, 2012. A true and correct copy of the mail service is attached  
3 hereto as Exhibit "B." Since this Notice of Removal is filed within 30 days of the  
4 action commencing, the removal is timely under 28 U.S.C. § 1446(b).

5           3.     This action is a civil action of which this Court has original jurisdiction  
6 under 28 U.S.C. § 1331, and is one which may be removed to this Court by FCO  
7 pursuant to the provisions of 28 U.S.C. § 1441(b) in that it arises under the Fair  
8 Debt Collection Practice Act ("FDCPA") 15 U.S.C. § 1692, et seq.

9           4.     There are no other defendants named in the Complaint.

10  
11 DATED: May 29, 2012

STEPHEN H. TURNER  
PATRIK JOHANSSON  
LEWIS BRISBOIS BISGAARD & SMITH LLP

12  
13  
14  
15 By: 

16 Stephen H. Turner  
17 Attorneys for Defendant Fair Collections &  
18 Outsourcing, Inc.  
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# EXHIBIT “A”

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*Attorneys for Plaintiffs,*  
 Paul Grande; and, Zuzanna Grande

**SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF LOS ANGELES – LONG BEACH COURTHOUSE – LIMITED**

**PAUL GRANDE; AND, ZUZANNA  
 GRANDE,**

Plaintiffs,

v.

**FAIR COLLECTIONS &  
 OUTSOURCING, INC.; AND, DOES  
 1-20, INCLUSIVE,**

Defendants.

**CASE MANAGEMENT REVIEW**

**SEP 20 2012**

**IN DEPARTMENT H**

Case No.:

12105528

**COMPLAINT FOR DAMAGES FOR  
 VIOLATIONS OF THE:**

**I. THE ROSENTHAL FAIR DEBT  
 COLLECTION PRACTICES ACT CAL.  
 CIV. CODE §§ 1788-1788.32; AND,**

**II. THE FAIR DEBT COLLECTION  
 PRACTICES ACT 15 U.S.C. §§ 1692-  
 1692(P)**

**JURY TRIAL DEMANDED**

**LIMITED – UNDER \$10,000.00**

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KAZEROUNI LAW GROUP, APC  
 2700 N. Main Street, Ste. 1000  
 Santa Ana, California 92705

# INTRODUCTION

1. The California legislature has determined that the banking and credit system and grantors of credit to consumers are dependent upon the collection of just and owing debts and that unfair or deceptive collection practices undermine the public confidence that is essential to the continued functioning of the banking and credit system and sound extensions of credit to consumers. The Legislature has further determined that there is a need to ensure that debt collectors exercise this responsibility with fairness, honesty, and due regard for the debtor's rights and that debt collectors must be prohibited from engaging in unfair or deceptive acts or practices.<sup>1</sup>

2. PAUL GRANDE (individually as "Mr. Grande" or collectively as "Plaintiffs"); and, ZUZANNA GRANDE (individually as "Mrs. Grande" or collectively as "Plaintiffs"), by Plaintiffs' attorneys, brings this action to challenge the actions of the FAIR COLLECTIONS & OUTSOURCING, INC. ("Defendant"), and DOES 1-20, with regard to attempts by Defendant, debt collector, to unlawfully and abusively collect a debt allegedly owed by Plaintiffs, and this conduct caused Plaintiffs damages.

3. Unless otherwise indicated, the use of any Defendant's name in this Complaint includes all agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers of that defendant named.

## JURISDICTION AND VENUE

4. Jurisdiction of this Court is proper because the events leading to Plaintiffs' causes of action occurred in the County of Los Angeles and in the State of California.

5. This action arises out of Defendant's violations of the following: (i) the Rosenthal Fair Debt Collection Practices Act, California Civil Code §§ 1788-1788.32 ("RFDCPA"); and, (ii) the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692-1692(p) ("FDCPA").

6. Because Defendants do business within the State of California, personal jurisdiction is established.

7. Plaintiffs make these allegations on information and belief, with the exception of those

<sup>1</sup> Cal. Civ. Code §§ 1788.1 (a)-(b)

1 allegations that pertain to a plaintiff, or to a plaintiff's counsel, which Plaintiffs allege on  
2 personal knowledge.

3 8. While many violations are described below with specificity, this Complaint alleges  
4 violations of the statutes cited in their entirety.

5 9. Unless otherwise stated, Plaintiffs allege that any violations by Defendants were knowing  
6 and intentional, and that Defendants did not maintain procedures reasonably adapted to  
7 avoid any such violation.

8 10. Venue is proper.

#### 9 PARTIES

10 11. Plaintiffs are natural people who reside in the City of Long Beach, County of Los Angeles,  
11 State of California, from whom a debt collector sought to collect a consumer debt which  
12 was due and owing or alleged to be due and owing from Plaintiffs, and are "debtors" as that  
13 term is defined by California Civil Code § 1788.2(h). In addition, Plaintiffs are  
14 "consumers" as that term is defined by 15 U.S.C. § 1692a(3).

15 12. Plaintiffs are informed and believe, and thereon allege, that Defendant is a company  
16 operating from the State of Maryland.

17 13. Plaintiffs are informed and believe, and thereon allege, that Defendant, in the ordinary  
18 course of business, regularly, on behalf of themselves or others, engage in debt collection  
19 as that term is defined by California Civil Code § 1788.2(b), and are therefore "debt  
20 collectors" as that term is defined by California Civil Code § 1788.2(c) and 15 U.S.C. §  
21 1692a(6).

22 14. This case involves money, property or their equivalent, due or owing or alleged to be due  
23 or owing from a natural person by reason of a consumer credit transaction. As such, this  
24 action arises out of a "consumer debt" and "consumer credit" as those terms are defined by  
25 Cal. Civ. Code § 1788.2(f) and a "debt" as that term is defined by 15 U.S.C. 1692a(5).

26 15. The true names and capacities, whether individual, corporate (including officers and  
27 directors thereof), associate or otherwise of Defendant sued herein as DOES 1 through 20,  
28 inclusive, are unknown to Plaintiffs, who therefore sues these Defendants by such fictitious



names, pursuant to the California Civil Procedure Code § 474. Plaintiffs is informed and believes, and thereon alleges that each Defendant designated as a DOE is involved in or is in some manner responsible as a principal, beneficiary, agent, co-conspirator, joint venturer, alter ego, third party beneficiary, or otherwise, for the agreements, transactions, events and/or acts hereinafter described, and thereby proximately caused injuries and damages to Plaintiffs. Plaintiffs request that when the true names and capacities of these DOE Defendants are ascertained, they may be inserted in all subsequent proceedings, and that this action may proceed against them under their true names.

16. Plaintiffs are informed and believe, and thereon allege, that at all times herein mentioned, Defendants DOES 1 through 20, were agents or employees of each of their co-defendants and, in doing the things hereafter mentioned, each was acting in the scope of his authority as such agent or employee and with the permission and consent of their co-defendants, and each of them.

#### FACTUAL ALLEGATIONS

17. At all times relevant, Plaintiffs are individuals residing within the State of California.
18. Plaintiffs are informed and believe, and thereon allege, that at all times relevant, Defendant conducted business in the State of California.
19. In May 2010, Plaintiffs allegedly incurred financial obligations to the original creditor, BRE PROPERTIES, INC., that were money, property, or their equivalent, which is due or owing, or alleged to be due or owing, from a natural person to another person and were therefore "debt(s)" as that term is defined by California Civil Code §1788.2(d), and a "consumer debt" as that term is defined by California Civil Code §1788.2(f).
20. Sometime thereafter, Plaintiffs allegedly fell behind in the payments allegedly owed on the alleged debt. Plaintiffs currently take no position as to whether or not this alleged debt was actually owed.
21. Subsequently, but before October 24, 2011, the alleged debt was assigned, placed, or otherwise transferred, to Defendant for collection.
22. As a result, Plaintiffs have received numerous telephone calls and letters from Defendant

1 regarding the alleged debt. These telephone calls and letters constitute "communications"  
2 as 15 U.S.C. § 1692a(2) defines that term, and a "debt collection" as that phrase is defined  
3 by Cal. Civ. Code § 1788.2(b).

4 23. Defendant claims that Plaintiffs' debt arose as a result of Plaintiffs remaining in Plaintiffs'  
5 unit past the terms of Plaintiffs' lease for a period of three months. However, Plaintiffs  
6 fully complied with the terms of Plaintiffs' lease with BRE Properties, Inc. by providing  
7 more than the required thirty-day notice prior to vacating the premises. Thereafter,  
8 Plaintiffs' vacated Plaintiffs' unit upon the termination of Plaintiffs' lease.

9 24. Thus, Defendant falsely represented the character of Plaintiffs' account as delinquent in  
10 violation of 15 U.S.C. § 1692e(2)(A). In addition, 15 U.S.C. § 1692e(2)(A) is incorporated  
11 into the RFDCPA by Cal. Civ. Code § 1788.17. Through this conduct, Defendant also  
12 violated Cal. Civ. Code § 1788.17.

13 25. Moreover, in attempting to collect an invalid debt from Plaintiffs, Defendant took action  
14 against Plaintiffs with regard to the alleged debt that could not legally be taken. Such  
15 conduct constitutes a violation of 15 U.S.C. § 1692e(5) which is incorporated into the  
16 RFDCPA by Cal. Civ. Code § 1788.17. Through this conduct, Defendants also violated  
17 Cal. Civ. Code § 1788.17.

18 26. Furthermore, Defendant's conduct in attempting to collect an invalid debt from Plaintiffs  
19 constitutes a false representation and deceptive means to attempt to collect an alleged debt  
20 from Plaintiffs. Such conduct constitutes a violation of 15 U.S.C. § 1692e(10) which is  
21 incorporated into the RFDCPA by Cal. Civ. Code § 1788.17. Through this conduct,  
22 Defendant also violated Cal. Civ. Code § 1788.17.

23 27. In addition, Defendant's attempt to collect an amount from Plaintiffs that Defendant was  
24 not authorized by the agreement creating the alleged debt, or otherwise permitted by law,  
25 constitutes a violation of 15 U.S.C. § 1692f(1) which is incorporated into the RFDCPA by  
26 Cal. Civ. Code § 1788.17. Through this conduct, Defendant also violated Cal. Civ. Code §  
27 1788.17.

28 28. Through this conduct, Defendants took actions against Plaintiff concerning the alleged debt



1 in violation of the statute discussed above. Consequently, Defendant violated Cal. Civ.  
2 Code § 1788.17. In addition, Defendant violated 15 U.S.C. §§ 1692e(2)(A); 1692e(5);  
3 1692e(10); and, 1692f(1).

4 **CAUSES OF ACTION CLAIMED BY PLAINTIFFS**

5 **COUNT I**

6 **VIOLATION OF THE ROSENTHAL FAIR DEBT COLLECTION PRACTICES ACT**

7 **Cal. Civ. Code §§ 1788-1788.32 (RFDCPA)**

8 [Against All Defendants]

9 29. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though  
10 fully stated herein.

11 30. The foregoing acts and omissions constitute numerous and multiple violations of the  
12 RFDCPA.

13 31. As a result of each and every violation of the RFDCPA, Plaintiffs are entitled to any actual  
14 damages pursuant to Cal. Civ. Code § 1788.30(a); statutory damages for a knowing or  
15 willful violation in the amount up to \$1,000.00 pursuant to Cal. Civ. Code § 1788.30(b);  
16 and reasonable attorney's fees and costs pursuant to Cal. Civ. Code § 1788.30(c) from each  
17 Defendant individually.

18 **COUNT II**

19 **VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT**

20 **15 U.S.C. §§ 1692-1692(p) (FDCPA)**

21 [Against All Defendants]

22 32. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though  
23 fully stated herein.

24 33. The foregoing acts and omissions constitute numerous and multiple violations of the  
25 FDCPA.

26 34. As a result of each and every violation of the FDCPA, Plaintiff is entitled to any actual  
27 damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages for a knowing or willful  
28 violation in the amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and

1 reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from each  
2 Defendant individually.

3 **PRAYER FOR RELIEF**

4 **WHEREFORE**, Plaintiff prays that judgment be entered against Defendants for:

- 5 • an award of actual damages, in an amount to be determined at trial, pursuant to Cal.  
6 Civ. Code § 1788.30(a), against each named Defendant individually;
- 7 • an award of actual damages, in an amount to be determined at trial, pursuant to 15  
8 U.S.C. § 1692k(a)(1), against each named Defendant individually;
- 9 • an award of statutory damages of \$1,000.00, pursuant to Cal. Civ. Code §  
10 1788.30(b), against each named Defendant individually;
- 11 • an award of statutory damages of \$1,000.00, pursuant to 15 U.S.C. §  
12 1692k(a)(2)(A), against each named Defendant individually;
- 13 • an award of costs of litigation and reasonable attorney's fees, pursuant to Cal. Civ.  
14 Code § 1788.30(c), against each named Defendant individually.
- 15 • an award of costs of litigation and reasonable attorney's fees, pursuant to 15 U.S.C.  
16 § 1692k(a)(3), against each named Defendant individually; and,
- 17 • any and all other relief that this Court deems just and proper.

18  
19 Dated: March 30, 2012

Respectfully submitted,

21 **KAZEROUNI LAW GROUP, APC**

22  
23 By:   
24 Matthew M. Zoker, Esq.  
Attorney for Plaintiffs

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27 ///

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1 TRIAL BY JURY

2 35. Pursuant to the seventh amendment to the Constitution of the United States of America,  
3 Plaintiffs are entitled to, and demand, a trial by jury.

4  
5 Dated: March 30, 2012

Respectfully submitted,

6 KAZEROUNI LAW GROUP, APC

7  
8 By   
9 Matthew M. Loker, Esq.  
10 Attorney for Plaintiffs  
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KAZEROUNI LAW GROUP, APC  
2700 N. Main Street, Ste. 1000  
Santa Ana, California 92705

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Matthew M. Loker, Esq. (SBN 279939) KAZEROUNI LAW GROUP, APC 2700 North Main Street, Suite 1000 Santa Ana, CA 92705 TELEPHONE NO.: 800-400-6808 FAX NO.: 800-520-5523 ATTORNEY FOR (Name): Plaintiffs, Paul Grande; and, Zuzanna Grande		FOR COURT USE ONLY          CASE NUMBER: 12-019 JUDGE: DEPT:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 415 West Ocean Blvd. MAILING ADDRESS: CITY AND ZIP CODE: Long Beach, CA 90802 BRANCH NAME: Long Beach Courthouse		
CASE NAME: Paul and Zuzanna Grande v. Fair Collections & Outsourcing Inc., et al.		
<b>CIVIL CASE COVER SHEET</b> <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less) <b>Complex Case Designation</b> <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |  |  |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses  |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial postjudgment judicial supervision  |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): 2 - RFDCPA & FDCPA
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 3/30/12

Matthew M. Loker, Esq.

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

## NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2



CM-010

## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## CASE TYPES AND EXAMPLES

## Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death  
Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

## Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)  
Asbestos Property Damage  
Asbestos Personal Injury/Wrongful Death  
Product Liability (not asbestos or toxic/environmental) (24)  
Medical Malpractice (45)  
Medical Malpractice—Physicians & Surgeons  
Other Professional Health Care Malpractice  
Other PI/PD/WD (23)  
Premises Liability (e.g., slip and fall)  
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)  
Intentional Infliction of Emotional Distress  
Negligent Infliction of Emotional Distress  
Other PI/PD/WD

## Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)  
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)  
Defamation (e.g., slander, libel) (13)  
Fraud (16)  
Intellectual Property (19)  
Professional Negligence (25)  
Legal Malpractice  
Other Professional Malpractice (not medical or legal)  
Other Non-PI/PD/WD Tort (35)

## Employment

Wrongful Termination (36)  
Other Employment (15)

## Contract

Breach of Contract/Warranty (06)  
Breach of Rental/Lease  
Contract (not unlawful detainer or wrongful eviction)  
Contract/Warranty Breach—Seller Plaintiff (not fraud or negligence)  
Negligent Breach of Contract/Warranty  
Other Breach of Contract/Warranty  
Collections (e.g., money owed, open book accounts) (09)  
Collection Case—Seller Plaintiff  
Other Promissory Note/Collections Case  
Insurance Coverage (not provisionally complex) (18)  
Auto Subrogation  
Other Coverage  
Other Contract (37)  
Contractual Fraud  
Other Contract Dispute

## Real Property

Eminent Domain/Inverse Condemnation (14)  
Wrongful Eviction (33)  
Other Real Property (e.g., quiet title) (26)  
Writ of Possession of Real Property  
Mortgage Foreclosure  
Quiet Title  
Other Real Property (not eminent domain, landlord/tenant, or foreclosure)

## Unlawful Detainer

Commercial (31)  
Residential (32)  
Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)

## Judicial Review

Asset Forfeiture (05)  
Petition Re: Arbitration Award (11)  
Writ of Mandate (02)  
Writ—Administrative Mandamus  
Writ—Mandamus on Limited Court Case Matter  
Writ—Other Limited Court Case Review  
Other Judicial Review (39)  
Review of Health Officer Order  
Notice of Appeal—Labor Commissioner Appeals

## Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)  
Construction Defect (10)  
Claims Involving Mass Tort (40)  
Securities Litigation (28)  
Environmental/Toxic Tort (30)  
Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)

## Enforcement of Judgment

Enforcement of Judgment (20)  
Abstract of Judgment (Out of County)  
Confession of Judgment (non-domestic relations)  
Sister State Judgment  
Administrative Agency Award (not unpaid taxes)  
Petition/Certification of Entry of Judgment on Unpaid Taxes  
Other Enforcement of Judgment Case

## Miscellaneous Civil Complaint

RICO (27)  
Other Complaint (not specified above) (42)  
Declaratory Relief Only  
Injunctive Relief Only (non-harassment)  
Mechanics Lien  
Other Commercial Complaint Case (non-tort/non-complex)  
Other Civil Complaint (non-tort/non-complex)

## Miscellaneous Civil Petition

Partnership and Corporate Governance (21)  
Other Petition (not specified above) (43)  
Civil Harassment  
Workplace Violence  
Elder/Dependent Adult Abuse  
Election Contest  
Petition for Name Change  
Petition for Relief From Late Claim  
Other Civil Petition

SHORT TITLE: Paul and Zuzanna Grande v. Fair Collections & Outsourcing, et al.	CASE NUMBER
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**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☒ YES TIME ESTIMATED FOR TRIAL <sup>4</sup> ☐ HOURS/ ☒ DAYS

**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

**Step 3:** In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

- |  |  |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle.    |
| 2. May be filed in central (other county, or no bodily injury/property damage).  | 7. Location where petitioner resides.                      |
| 3. Location where cause of action arose.   | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred.                       | 9. Location where one or more of the parties reside.       |
| 5. Location where performance required or defendant resides.                     | 10. Location of Labor Commissioner Office                  |

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons (See Step 3 Above)
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal injury/Property Damage/Wrongful Death	1., 4. 1., 3. 1., 4.



SHORT TITLE: Paul and Zuzanna Grande v. Fair Collections & Outsourcing, et al.	CASE NUMBER:
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons (See Step 3 Above)
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input checked="" type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2, 3
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (not insurance) (08)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.
		<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.
		<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 8.
Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels _____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
		<input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6.
Unlawful Detainer	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: Paul and Zuzanna Grande v. Fair Collections & Outsourcing, et al.	CASE NUMBER:
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
	<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.	
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE: Paul and Zuzanna Grande v. Fair Collections & Outsourcing, et al.	CASE NUMBER
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.  <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: 1232 East 56th Street
CITY: Long Beach	STATE: CA	ZIP CODE: 90805

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Long Beach courthouse in the South District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: 3/30/12

  
(SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES  
ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE  
[CRC 3.221 Information about Alternative Dispute Resolution]

For additional ADR information and forms visit the Court ADR web application at [www.lasuperiorcourtl.org](http://www.lasuperiorcourtl.org) (click on ADR).

The plaintiff shall serve a copy of this Information Package on each defendant along with the complaint (Civil only).

**What is ADR?**

Alternative Dispute Resolution (ADR) is the term used to describe all the other options available for settling a dispute which once had to be settled in court. ADR processes, such as arbitration, mediation, neutral evaluation (NE), and settlement conferences, are less formal than a court process and provide opportunities for parties to reach an agreement using a problem-solving approach.

There are many different kinds of ADR. All of them utilize a "neutral", an impartial person, to decide the case or help the parties reach an agreement.

**Mediation:**

In mediation, a neutral person called a "mediator" helps the parties try to reach a mutually acceptable resolution of the dispute. The mediator does not decide the dispute but helps the parties communicate so they can try to settle the dispute themselves. Mediation leaves control of the outcome with the parties.

**Cases for Which Mediation May Be Appropriate**

Mediation may be particularly useful when parties have a dispute between or among family members, neighbors, or business partners. Mediation is also effective when emotions are getting in the way of resolution. An effective mediator can hear the parties out and help them communicate with each other in an effective and nondestructive manner.

**Cases for Which Mediation May Not Be Appropriate**

Mediation may not be effective if one of the parties is unwilling to cooperate or compromise. Mediation also may not be effective if one of the parties has a significant advantage in power over the other. Therefore, it may not be a good choice if the parties have a history of abuse or victimization.

**Arbitration:**

In arbitration, a neutral person called an "arbitrator" hears arguments and evidence from each side and then decides the outcome of the dispute. Arbitration is less formal than a trial, and the rules of evidence are often relaxed. Arbitration may be either "binding" or "nonbinding." *Binding arbitration* means that the parties waive their right to a trial and agree to accept the arbitrator's decision as final. *Nonbinding arbitration* means that the parties are free to request a trial if they do not accept the arbitrator's decision.

**Cases for Which Arbitration May Be Appropriate**

Arbitration is best for cases where the parties want another person to decide the outcome of their dispute for them but would like to avoid the formality, time, and expense of a trial. It may also be appropriate for complex matters where the parties want a decision-maker who has training or experience in the subject matter of the dispute.

**Cases for Which Arbitration May Not Be Appropriate**

If parties want to retain control over how their dispute is resolved, arbitration, particularly binding arbitration, is not appropriate. In binding arbitration, the parties generally cannot appeal the arbitrator's award, even if it is not supported by the evidence or the law. Even in nonbinding arbitration, if a party requests a trial and does not receive a more favorable result at trial than in arbitration, there may be penalties.

**Neutral Evaluation:**

In neutral evaluation, each party gets a chance to present the case to a neutral person called an "evaluator." The evaluator then gives an opinion on the strengths and weaknesses of each party's evidence and arguments and about how the dispute could be resolved. The evaluator is often an expert in the subject matter of the dispute. Although the evaluator's opinion is not binding, the parties typically use it as a basis for trying to negotiate a resolution of the dispute.

**Cases for Which Neutral Evaluation May Be Appropriate**

Neutral evaluation may be most appropriate in cases in which there are technical issues that require special expertise to resolve or the only significant issue in the case is the amount of damages.

**Cases for Which Neutral Evaluation May Not Be Appropriate**

Neutral evaluation may not be appropriate when there are significant personal or emotional barriers to resolving the dispute.

**Settlement Conferences:**

Settlement conferences may be either mandatory or voluntary. In both types of settlement conferences, the parties and their attorneys meet with a judge or a neutral person called a "settlement officer" to discuss possible settlement of their dispute. The judge or settlement officer does not make a decision in the case but assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. Settlement conferences are appropriate in any case where settlement is an option. Mandatory settlement conferences are often held close to the date a case is set for trial.



Case Number \_\_\_\_\_  
 Your case is assigned for all purposes to the judicial officer indicated below.

ASSIGNED JUDGE		DEPT.	ROOM
✓	Dihoreto	H	53

Given to the Plaintiff/Cross-Complainant/Attorney of Record on APR 23 2012

JOHN A. CLARKE, Executive Officer/Clerk

By PIROZZI, Deputy Clerk

### Instructions For Handling Limited Civil Cases

The following critical provisions, as applicable in the SOUTH District are cited for your information.

**PRIORITY OVER OTHER RULES:** The priority of Chapter Seven of the LASC Local Rules over other inconsistent Local Rules is set forth in 7.2(c) thereof.

**CHALLENGE TO ASSIGNED JUDGE:** To the extent set forth therein, Government Code section 68616(i) and Local Rule 7.5 control the timeliness of challenges to the assigned judge.

**TIME STANDARDS:** The time standards may be extended by the court only upon a showing of good cause. (Cal. Rules of Court, rule 3.1. Failure to meet time standards may result in the imposition of sanctions. (Local Rule 7.13).

Except for collections cases pursuant to California Rules of Court, rule 3.740, cases assigned to the Individual Calendar Court will be subject to processing under the following time standards:

**COMPLAINTS:** All complaints shall be served and the proof of service filed within 60 days after filing of the complaint.

**CROSS-COMPLAINTS:** Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Complaints against parties new to the action must be served and the proof of service filed within 30 days after the filing of the cross-complaint. A complaint against a party who has already appeared in the action must be accompanied by proof of service of the cross-complaint at the time it is filed. (Code Civ. Proc., § 428.50).

**CASE MANAGEMENT REVIEW:** A Case Management Review will be scheduled by the Court for no later than 180 days after the filing of the complaint. (Local Rule 7.9(a)(2)).

Pursuant to California Rules of Court, rules 3.720-3.730, no later than 15 calendar days before the date set for Case Management Review/Conference, each party (individually or jointly) must file and serve a Case Management Statement using the mandatory Judicial Council form No. CM-110.

**DEFAULTS (Local Rule 9.10):** If a responsive pleading is not served within the time to respond and no extension of time has been granted, the plaintiff must file a Request for Entry of Default within 10 days after the time for service has elapsed. Failure to timely file the Request for Entry of Default result in an Order to Show Cause being issued as to why sanctions should not be imposed. The plaintiff must request default judgment on the default defendants within 40 days after entry of default.

**NOTICED MOTIONS:** All regularly noticed motions will be calendared through the assigned department. Each motion date must be separately reserved and filed with appropriate fees for each motion. Motions for Summary Judgment must be identified at the time of reservation. All motions should be filed in ROOM 207.

**EX PARTE MATTERS:** All ex parte applications should be noticed for the courtroom. Ex parte appearance applications for direct set courtrooms must be filed by 08:30 A.M. in Room 207 on the day of the hearing. Ex parte appearance matters must be noticed for Dept. Monday, Wednesday & Friday but filed at Counter 2 & 3 Room 207 no later than 08:30 A.M. on the day of the hearing.

**UNINSURED MOTORIST CLAIMS:** Delay Reduction Rules do not apply to uninsured motorist claims. The plaintiff must file a Notice of Designation with the Court, identifying the case as an uninsured motorist claim under Insurance Code section 11580.2.

LACIV 001 (Rev. 07/07)

LASC Approved 09-04

NOTICE OF  
 CASE ASSIGNMENT - LIMITED CIVIL CASE

<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES</b>		Reserved for Clerk's File Stamp <b>CONFORMED COPY</b> OF ORIGINAL FILED Los Angeles Superior Court  APR 23 2012  John A. Clarke, Executive Officer/Clerk By <u>D. Pirozzi</u> CASE NUMBER: <u>D. PIROZZI, DEPUTY</u> <u>12101529</u>
COURTHOUSE ADDRESS: <u>415 W. Ocean Bl. Long Beach, CA</u>		
PLAINTIFF:		
DEFENDANT:		
<b>NOTICE OF CASE MANAGEMENT REVIEW (LIMITED CIVIL)</b>		

TO PLAINTIFF(S) AND THEIR ATTORNEY(S) OF RECORD:

You are ordered to serve this Notice of Case Management Review (Limited Civil) on all parties/attorneys of record forthwith.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

You are ordered to appear at the Case Management Review (Limited Civil) hearing as follows:

Date: <u>9-20-12</u>	Dept: <u>H</u>	Room #:
<input type="checkbox"/> Master Calendar Court		

You do not have to appear, if fifteen days prior to the hearing: 1) Plaintiffs have filed proofs of service of all defendants or obtained default judgment(s) as to all non-responding defendants and filed a Case Management Statement (Judicial Council form CM-110); and 2) Defendants have filed responsive pleadings and a Case Management Statement (Judicial Council form CM-110). You also do not have to appear, if notices of settlement and/or requests for dismissal as to all parties have been filed.

Failure to comply with any order herein may result in the court setting a hearing on an Order to Show Cause re: why sanctions, including, but not limited to, dismissal without prejudice, and/or striking answer, should not be imposed pursuant to LASC Local Rule 7.13, Code of Civil Procedure sections 177.5, 575.2, 583.150, 583.360 and 583.410, Government Code section 68608, subdivision (b), and California Rules of Court, rule 2.2 et seq.

**CERTIFICATE OF MAILING**

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify under penalty of perjury under the laws of the State of California that I am not a party to the above-entitled matter, and that on this date I served this Notice of Case Management Review (Limited Civil) in the within action upon all parties by depositing a copy in the United States mail at the courthouse located in LONG BEACH, California, in a separate sealed envelope to each, addressed as shown below with the postage thereon fully prepaid.

Dated: APR 23 2012

JOHN A. CLARKE, Executive Officer/Clerk

by D. PIROZZI  
Deputy Clerk

LACIV 133 (Rev. 10/09)  
LASC Approved 10-03

**NOTICE OF CASE MANAGEMENT REVIEW  
(LIMITED CIVIL)**

Cal. Rules of Court, rules 3.110, 3.720-3.730  
LASC Local Rules, Chapter Seven



NOTICE OF CASE ASSIGNMENT

CASE NUMBER

PLAINTIFF: You are hereby ordered to appear on 7-9-12 at 8:30 a.m. in Department H for an Order to Show Cause re: Sanctions/Dismissal for failure to serve defendant(s) within 60 days as required by California Rule of Court 201.7. If you file the proof of service timely as to all named defendants, the OSC will be vacated. For Long Beach cases you may call the clerk's office at (562) 491-6234 or (562) 491-6235 and for San Pedro cases you may call (310) 519-6015 two days prior to hearing to verify that the hearing was vacated.

You are hereby notified that this case has been assigned to an Individual Calendar Court and is subject to Delay Reduction Rules as set forth in Chapter 7 of the Los Angeles Superior Court Local Rules.

Based upon your assigned case number, your case is assigned to:

(X)

Department

This case is assigned for all purposes to the Judge reflected above. All parties are expected to comply with the following:

DELAY REDUCTION RULES

The Court's Delay Reduction Rules (LASC Local Rule 7 and California Rules of Court) will be strictly enforced and counsel will be expected to be familiar with them.

DUTY OF EACH PLAINTIFF (AND CROSS-COMPLAINANT)

It shall be the duty of each plaintiff (cross-complainant) to serve a copy of this notice with the complaint (and cross-complaint)

CHALLENGE TO AN ASSIGNED JUDGE:

A Challenge under Code of Civil Procedure 170.6 shall be made to the assigned judge or to the presiding judge by a party within 10 days after notice of all purpose assignment, or if the party has not yet appeared in the action, within 10 days after appearance.

CERTIFICATE OF SERVICE

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Assignment upon the filing party.

(X) by personally giving the party notice upon filing of the complaint

Date: APR 23 2012

John A. Clarke, Executive Office/Clerk  
by B. PIROZZI, Deputy Clerk

NOTICE OF CASE MANAGEMENT

SUM-100

# SUMMONS (CITACION JUDICIAL)

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

FAIR COLLECTIONS & OUTSOURCING, INC.; AND DOES 1-20,  
INCLUSIVE,

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

PAUL GRANDE; AND, ZUZANNA GRANDE,

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es): Superior Court of California  
County of Los Angeles - Long Beach Courthouse  
415 West Ocean Blvd., Long Beach, CA 90802

CASE NUMBER:  
(Número del Caso):

12001629

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
Matthew M. Loker, Esq. (SBN 279939), 2700 N. Main St., Ste. 1000, Santa Ana, CA 92705, 800-400-6808

DATE:  
(Fecha)

JOHN A. CLARKE APR 23 2011

Clerk, by  
(Secretario)

Deputy  
(Ayudante)

D. PIROZZI

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

(SEAL)

**NOTICE TO THE PERSON SERVED:** You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☒ on behalf of (specify): FAIR COLLECTIONS & OUTSOURCING, INC.

- under: ☒ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)  
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)  
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)  
☐ other (specify): UNDER CCP 415.40

4. ☒ by personal delivery on (date):

Page 1 of 1

# EXHIBIT “B”

# KODA'S SERVICES

*Professional Attorney Services*

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22421 Barton Road #409, Grand Terrace, CA 92313  
Phone (951) 241-6260 Fax (909) 498-0477  
Paul@KodaService.com

SERVICE OF SUMMONS  
UNDER CCP 415.40  
RETURN RECEIPT  
#7009 2250 0001 5933 9829

May 2, 2012

Michael E Sobota, Registered Agent  
**FAIR COLLECTIONS & OUTSOURCING, INC.**  
10016 Carmelita Drive  
Potomac, MD 20854

Re: *PAUL GRANDE, ET AL V. FAIR COLLECTIONS & OUTSOURCING*  
Case No.: *12C01529*

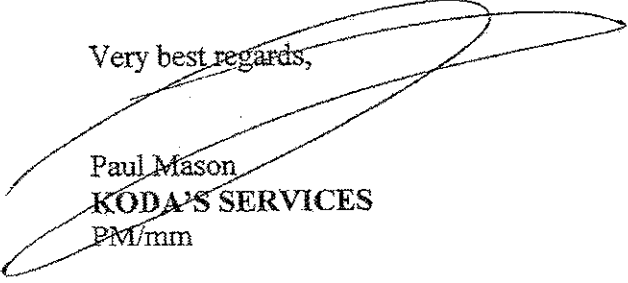
Dear Mr. Sobota:

The entity you represent is being served a summons and complaint via certified mail pursuant to California Code of Civil Procedure § 415.40, which permits such service for out of state defendants. This code section reads in pertinent part:

**415.40.** A summons may be served on a person outside this state in any manner provided by this article or by sending a copy of the summons and of the complaint to the person to be served by first-class mail, postage prepaid, requiring a return receipt. Service of a summons by this form of mail is deemed complete on the 10th day after such mailing.

Should you have any questions at all, please do not hesitate to contact the undersigned at (951) 241-6260.

Very best regards,



Paul Mason  
**KODA'S SERVICES**  
PM/mm

**FEDERAL COURT PROOF OF SERVICE**

Henderson v. Fair Collections, etc. - File No. 6234.9054

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to the action. My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, CA 90012. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On May 29, 2012, I served the following document(s): **NOTICE OF REMOVAL**

I served the documents on the following persons at the following addresses (including fax numbers and e-mail addresses, if applicable):

Abbas Kazerounian, Esq.  
S. Mohammad Kazerouni, Esq.  
Assal Assassi, Esq.  
Matthew M. Loker, Esq.  
2700 North Main Street  
Suite 1000  
Santa Ana, CA 92705  
Tel: (800) 400-6808  
Fax: (800) 520-5523  
Emails: [ak@kazlg.com](mailto:ak@kazlg.com)  
[mike@kazlg.com](mailto:mike@kazlg.com)  
[assal@kazlg.com](mailto:assal@kazlg.com)  
[ml@kazlg.com](mailto:ml@kazlg.com)

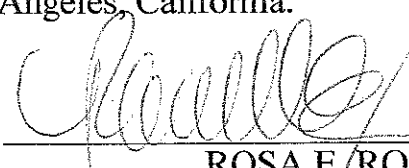
Robert L. Hyde, Esq.  
Joshua B. Swigart, Esq.  
Hyde & Swigart, Esq.  
411 Camino Del Rio South  
Suite 301  
San Diego, California 92108  
Tel: (619) 233-7770  
Fax: (619) 297-1022  
Emails: [bob@westcoastlitigation.com](mailto:bob@westcoastlitigation.com)  
[josh@westcoastlitigation.com](mailto:josh@westcoastlitigation.com)

The documents were served by the following means:

☒ (BY U.S. MAIL) I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and I deposited the sealed envelope or package with the U.S. Postal Service, with the postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 29, 2012, at Los Angeles, California.

  
\_\_\_\_\_  
ROSA E. ROJAS

# Bill of Lading

**User Name:** Rosa Rojas  
**Company:** LBBS

**LBBS**

**213-250-1800**



052-00208837-001

**Control Number:** 208837

**eTrac Number:** 99660541

Submitter Information	Shipping Information
<b>Account:</b> 1 <b>Name:</b> LBBS-LA <b>Requested By:</b> ROSA ROJAS <b>Client Matter:</b> F023 <b>Case No.:</b> <b>Entered:</b> 29-MAY-2012 11:16 <b>Last Updated:</b> 29-MAY-2012 14:16 (EST)	<b>Service Type:</b> RUSH <b>Return Service:</b> REGULAR <b>Pieces:</b> 1 <b>Weight:</b> 1.0 Lbs. <b>Charges:</b> 0.00 <b>Quote:</b> 0.00
Pick Up From	Deliver To
LEWIS BRISBOIS BISGAARD & SMITH ROSA ROJAS 221 N FIGUEROA 11TH FLOOR LOS ANGELES, CA 90012 USA	U S DISTRICT COURT WESTERN DIVISION CLERK 312 N. SPRING STREET FILING WINDOW LOS ANGELES, CA
Pickup Details	Delivery Details
<b>Requested Date:</b> 29-MAY-2012 <b>Ready Time:</b> 11:20  <b>Pickup Instructions:</b> I WILL DELIVER DOCUMENT TO YOU <b>Case Name:</b> GRANDE V. FAIR COLLECTIONS <b>Documents:</b> REMOVAL DOCUMENTS  <b>Actual Date:</b> <b>Arrival Time:</b> <b>Departure Time:</b>	<b>Requested Date:</b> 29-MAY-2012 <b>Deliver By:</b> 14:20  <b>Delivery Instructions:</b> PLEASE FILE AND CONFORM, ADVANCE FILING FEE  <b>Actual Date:</b> <b>Arrival Time:</b> <b>Departure Time:</b>
<b>Driver:</b> <hr/> <b>Date:</b> <hr/> <b>Time:</b> <hr/>	<b>Received by:</b> <div style="font-size: 2em; text-align: center;">X</div> <hr/> <b>Print Name:</b> <hr/>

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